S.B. CIVIL MISC. APPEAL NO. 128/2000

Date : 07.03.2006

HON'BLE MR. BHAGWATI PRASAD, J.

Mr. Manish Shishodia for the appellant.
Mr. Rajesh Panwar] for the respondents.
Mr. Jagdish Vyas]

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Heard.

This is a case where the injured has sustained fracture of left shoulder, left clevical and upper portion of cervical column. For these three fractures, the claimant has been awarded a sum of Rs. 55,000/- which appears to be on the lesser side. As and when an injured suffers injury to cervical bone, his whole life gets a real threat. Restitution to it is not perfect. The award of Rs.55,000/- for fracture of such major bones in the facts and circumstances of the case, appears to be grossly insufficient. The same is enhanced to Rs.1,00,000/-. Rest of the award is maintained as it is.

With the aforesaid modification, the appeal is disposed of. The Tribunal will frame the award afresh with the aforesaid modification.

(BHAGWATI PRASAD), J.

bjsh